

jc915 U.S. PTO  
01/30/01

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PTO/SB/05 (11-00)  
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U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

# UTILITY PATENT APPLICATION TRANSMITTAL

(Only for new nonprovisional applications under 37 CFR 1.53(b))

Attorney Docket No. HAR-104

First Inventor SCHERSL, Endre Markovits  
Title Compositions Containing Phytosterol  
and Policosanol Esters of Fatty Acids  
for Reducing Blood Cholesterol and ...  
Express Mail Label No. EL049367325US**APPLICATION ELEMENTS**

See MPEP chapter 600 concerning utility patent application contents.

1.  Fee Transmittal Form (e.g., PTO/SB/17)  
*(Submit an original and a duplicate for fee processing)*
2.  Applicant claims small entity status.  
See 37 CFR 1.27.
3.  Specification [Total Pages 17]  
*(preferred arrangement set forth below)*  
 - Descriptive title of the invention  
 - Cross Reference to Related Applications  
 - Statement Regarding Fed sponsored R & D  
 - Reference to sequence listing, a table, or a computer program listing appendix  
 - Background of the Invention  
 - Brief Summary of the Invention  
 - Brief Description of the Drawings (if filed)  
 - Detailed Description  
 - Claim(s)  
 - Abstract of the Disclosure
4.  Drawing(s) (35 U.S.C. 113) [ Total Sheets \_\_\_\_\_ ]
5. Oath or Declaration [ Total Pages \_\_\_\_\_ ]  
 a.  Newly executed (original or copy)  
 Copy from a prior application (37 CFR 1.63 (d))  
 b.  (for continuation/divisional with Box 18 completed)  
 i.  **DELETION OF INVENTOR(S)**  
 Signed statement attached deleting inventor(s) named in the prior application, see 37 CFR 1.63(d)(2) and 1.33(b).
6.  Application Data Sheet. See 37 CFR 1.76

**ADDRESS TO:** Assistant Commissioner for Patents  
Box Patent Application  
Washington, DC 20231

7.  CD-ROM or CD-R in duplicate, large table or Computer Program (Appendix)
8. Nucleotide and/or Amino Acid Sequence Submission (if applicable, all necessary)  
 a.  Computer Readable Form (CRF)  
 b. Specification Sequence Listing on:  
 i.  CD-ROM or CD-R (2 copies); or  
 ii.  paper  
 c.  Statements verifying identity of above copies

**ACCOMPANYING APPLICATION PARTS**

9.  Assignment Papers (cover sheet & document(s))  
 10.  37 CFR 3.73(b) Statement  Power of (when there is an assignee)  Attorney  
 11.  English Translation Document (if applicable)  
 12.  Information Disclosure Statement (IDS)/PTO-1449  Copies of IDS Citations  
 13.  Preliminary Amendment  
 14.  Return Receipt Postcard (MPEP 503) (Should be specifically itemized)  
 15.  Certified Copy of Priority Document(s) (if foreign priority is claimed)  
 16.  Request and Certification under 35 U.S.C. 122 (b)(2)(B)(i). Applicant must attach form PTO/SB/35 or its equivalent.  
 17.  Other: Late Submission of Documentation Regarding POWER

18. If a CONTINUATING APPLICATION, check appropriate box, and supply the requisite information below and in a preliminary amendment, or in an Application Data Sheet under 37 CFR 1.76:

 Continuation     Divisional     Continuation-in-part (CIP)

of prior application No. \_\_\_\_\_ / \_\_\_\_\_

Prior application information: Examiner \_\_\_\_\_

Group Art Unit: \_\_\_\_\_

For CONTINUATION OR DIVISIONAL APPS only: The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 5b, is considered a part of the disclosure of the accompanying continuation or divisional application and is hereby incorporated by reference. The incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts.

**19. CORRESPONDENCE ADDRESS**

<input type="checkbox"/> Customer Number or Bar Code Label (Insert Customer No. or Attach bar code label here)	or <input checked="" type="checkbox"/> Correspondence address below			
Name	David I. ROCHE			
Address	BAKER & MCKENZIE			
	130 E. Randolph Drive			
City	Chicago	State	IL	Zip Code
Country	U.S.A.	Telephone	312-861-8608	Fax
Name (Print/Type)	David I. ROCHE	Registration No. (Attorney/Agent)	30,797	
Signature	David I. ROCHE		Date	30 JAN 2001

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Box Patent Application, Washington, DC 20231.

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# FEE TRANSMITTAL for FY 2001

Patent fees are subject to annual revision.

TOTAL AMOUNT OF PAYMENT (\$ 826.00)

## Complete if Known

Application Number	
Filing Date	
First Named Inventor	SCHERSL, Endre Markovits
Examiner Name	
Group Art Unit	
Attorney Docket No.	HAR-104

## METHOD OF PAYMENT

1.  The Commissioner is hereby authorized to charge indicated fees and credit any overpayments to:

Deposit Account Number 02-0400  
Deposit Account Name Baker & McKenzie

Charge Any Additional Fee Required Under 37 CFR 1.16 and 1.17

Applicant claims small entity status. See 37 CFR 1.27

2.  Payment Enclosed:

Check  Credit card  Money Order  Other

## FEE CALCULATION

## 1. BASIC FILING FEE

Large Entity	Small Entity	Fee Code (\$)	Fee Code (\$)	Fee Description	Fee Paid
101 710	201 355	Utility filing fee		355.	
106 320	206 160	Design filing fee			
107 490	207 245	Plant filing fee			
108 710	208 355	Reissue filing fee			
114 150	214 75	Provisional filing fee			

SUBTOTAL (1) (\$ 355.)

## 2. EXTRA CLAIM FEES

Total Claims	Extra Claims	Fee from below	Fee Paid
44	-20** = 24	x 9	= 216.
06	-3** = 3	x 40	= 120.
			135 = 135

## Large Entity Small Entity

Fee Code (\$)	Fee Code (\$)	Fee Description
103 18	203 9	Claims in excess of 20
102 80	202 40	Independent claims in excess of 3
104 270	204 135	Multiple dependent claim, if not paid
109 80	209 40	** Reissue independent claims over original patent
110 18	210 9	** Reissue claims in excess of 20 and over original patent

SUBTOTAL (2) (\$ 471.)

\*\*or number previously paid, if greater; For Reissues, see above

## FEE CALCULATION (continued)

## 3. ADDITIONAL FEES

Large Entity	Small Entity	Fee Code (\$)	Fee Code (\$)	Fee Description	Fee Paid
105 130	205 65	Surcharge - late filing fee or oath			
127 50	227 25	Surcharge - late provisional filing fee or cover sheet			
139 130	139 130	Non-English specification			
147 2,520	147 2,520	For filing a request for ex parte reexamination			
112 920*	112 920*	Requesting publication of SIR prior to Examiner action			
113 1,840*	113 1,840*	Requesting publication of SIR after Examiner action			
115 110	215 55	Extension for reply within first month			
116 390	216 195	Extension for reply within second month			
117 890	217 445	Extension for reply within third month			
118 1,390	218 695	Extension for reply within fourth month			
128 1,890	228 945	Extension for reply within fifth month			
119 310	219 155	Notice of Appeal			
120 310	220 155	Filing a brief in support of an appeal			
121 270	221 135	Request for oral hearing			
138 1,510	138 1,510	Petition to institute a public use proceeding			
140 110	240 55	Petition to revive - unavoidable			
141 1,240	241 620	Petition to revive - unintentional			
142 1,240	242 620	Utility issue fee (or reissue)			
143 440	243 220	Design issue fee			
144 600	244 300	Plant issue fee			
122 130	122 130	Petitions to the Commissioner			
123 50	123 50	Processing fee under 37 CFR 1.17(q)			
126 180	126 180	Submission of Information Disclosure Stmt			
581 40	581 40	Recording each patent assignment per property (times number of properties)			
146 710	246 355	Filing a submission after final rejection (37 CFR § 1.129(a))			
149 710	249 355	For each additional invention to be examined (37 CFR § 1.129(b))			
179 710	279 355	Request for Continued Examination (RCE)			
169 900	169 900	Request for expedited examination of a design application			
Other fee (specify) _____					

\*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$ )

## SUBMITTED BY

Name (Print/Type)	David I. ROCHE	Registration No. (Attorney/Agent)	30,797	Telephone	312/861-8608
Signature	<i>David I. ROCHE</i>		Date	30 JAN 2001	

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

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**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant: Endre Markovits SCHERSL

Title: Composition Containing  
Phytosterol and Policosanol  
Esters of Fatty Acids for  
Reducing Blood Cholesterol  
and Triglycerides

Serial No: not yet known

Filing Date: not yet known

) I hereby certify that this correspondence  
 ) has been sent by U.S. Postal Service  
 ) EXPRESS MAIL No. EL049367325US  
 ) addressed to the  
 ) Commissioner of Patents and Trademarks  
 ) Washington, DC, 20231, on 30 JAN 2001  
 )  
 )  
 )  
 )  
 ) Susan Vanderwalker 30 Jan 2001  
 ) Susan Vanderwalker Date

**COMMUNICATION REGARDING LATE SUBMISSION  
OF DECLARATION AND POWER OF ATTORNEY DOCUMENT**

Honorable Commissioner  
of Patents and Trademarks  
Washington, DC 20231

Dear Sir:

This application is being submitted without an Oath or Declaration pursuant to Rule 1.53.

This applicant is a Small Entity. In accordance with Rule 1.16(e), a surcharge of \$65.00 will be submitted, along with the *Declaration and Power of Attorney* document, at a later date.

Respectfully,



David I. Roche  
Reg. No. 30,797

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